

IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF TEXAS
MARSHALL DIVISION

CLO VIRTUAL FASHION INC.,

Plaintiff,

v.

ZHEJIANG LINGDI DIGITAL
TECHNOLOGY CO., LTD. (D/B/A
LINCTEX),

Defendant.


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CASE NO. 2:23-CV-00274-JRG-RSP

ORDER

Defendant Linctex previously filed a Motion for Summary Judgment of Non-Infringement (Dkt. No. 107.) Magistrate Judge Payne entered a Report and Recommendation (Dkt. No. 287), recommending grant of Linctex's Motion for Summary Judgment of Non-Infringement as to (1) Plaintiff being estopped from asserting the DoE as to limitation [1.f] of the '773 patent and limitation [1.b.vii] of the '355 patent, (2) no infringement of the '355 Patent and claims 4, 5, 10, and 11 of the '773 Patent by Subsequent Versions of Defendant's software; and otherwise denying the Motion. Because no objections have been filed and because of the reasons set forth in the Report and Recommendation, the Recommendation is **ADOPTED**. It is therefore **ORDERED** that the Motion for Summary Judgment of Non-Infringement (Dkt. No. 107) is **GRANTED** as to (1) Plaintiff being estopped from asserting the DoE as to limitation [1.f] of the '773 patent and limitation [1.b.vii] of the '355 patent, (2) no infringement of the '355 Patent and claims 4, 5, 10, and 11 of the '773 Patent by Subsequent Versions of Defendant's software; and is otherwise **DENIED**.

So ORDERED and SIGNED this 15th day of July, 2025.



RODNEY GILSTRAP
UNITED STATES DISTRICT JUDGE